

601 KAR 1:019. Overweight or overdimensional farm equipment.

RELATES TO: KRS 189.222, 189.270,(4), 281.010(1)

STATUTORY AUTHORITY: KRS 189.270(6), 189.271(9)(b), 189.2717(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 189.271(9)(b) authorizes the cabinet to promulgate administrative regulations establishing the requirements to issue a permit for the movement of a divisible or nondivisible load exceeding legal weights and dimensions. KRS 189.270(6) requires the cabinet to establish safety requirements for the escort vehicles accompanying an overweight or overdimensional vehicle. This administrative regulation establishes the requirements for the issuance of single and annual permits for overweight and overdimensional farm equipment. This administrative regulation establishes the safety requirements for escort vehicles accompanying farm equipment and exempts certain farm equipment movements from the requirement of obtaining an over-dimensional permit, but retains the associated safety requirements.

Section 1. Definitions. (1) "Convoy" means multiple pieces of farm equipment moving in a continuous stream and travelling together for safety and convenience.

(2) "Farm equipment" means machinery, an implement, or a vehicle used exclusively in a farm or agriculture operation including non registered self-propelled farm equipment.

(3) "Fully controlled access highway" means a highway that:

- (a) Gives preference to through traffic;
- (b) Has access only at selected public roads or streets; and
- (c) Has no highway grade crossing or intersection.

(4) "Nondivisible load" means a load or vehicle, that if separated into smaller loads or vehicles would:

(a) Compromise the intended use of the vehicle, making it unable to perform the function for which it was intended;

(b) Destroy the value of the load or vehicle, making it unusable for its intended purpose; or

(c) Require more than eight (8) work hours to dismantle using appropriate equipment.

(5) "Overdimensional" means the motor vehicle exceeds the dimension limits established in 603 KAR 5:070.

(6) "Overweight" means the motor vehicle exceeds:

(a) The gross weight limit established in 603 KAR 5:066;

(b) The axle weight limit established in 603 KAR 5:066;

(c) The gross weight limits established by KRS 177.9771 for a motor vehicle transporting coal or coal by-products;

(d) The bridge weight limit established by 603 KAR 5:066; or

(e) The gross weight limit posted at a bridge or other structure.

(7) "Self-propelled farm equipment" means a non registered vehicle used exclusively in a farm or agricultural operation that is capable of movement on its own power.

(8) "Toll road" means any project constructed under the provisions of KRS 175.450 or 177.390 through 177.570 on which a toll is collected or was in the past collected by the Transportation Cabinet.

Section 2. Overweight or Overdimensional Permit Not Required. (1) An overweight or overdimensional permit shall not be required for the transport of overweight or overdimensional farm equipment or self-propelled farm equipment from:

(a) One farm to another;

(b) A farm to a repair shop or dealer; or

- (c) A repair shop or dealer to a farm.
- (2) A non permitted move shall comply with the safety requirements of this administrative regulation.

Section 3. Overweight or Overdimensional Annual or Single Trip Permit Required. (1) An overweight or overdimensional annual or single trip permit shall be required if a move is from a:

- (a) Manufacturer to a dealer;
- (b) Dealer to a manufacturer; or
- (c) Dealer to a dealer.
- (2) An overweight or overdimensional annual or single trip permit shall be required for the movement of farm equipment on:
 - (a) A fully controlled access highway;
 - (b) A toll road parkway; or
 - (c) An interstate highway.
- (3) The cabinet shall consider the following to make the determination on an overweight or overdimensional single or annual permit application:
 - (a) The strength of bridges and structures on the route;
 - (b) Traffic congestion on the route;
 - (c) Horizontal and vertical clearance on the route;
 - (d) The availability of alternate routes that afford greater safety;
 - (e) Urban development in residential and commercial areas on the route;
 - (f) The proximity of schools to the route; and
 - (g) Another condition that would unduly compromise public safety and convenience.

Section 4. Overweight or Overdimensional Single Trip Permits. (1)(a) An overweight or overdimensional single trip permit shall be issued for the movement of farm equipment or self propelled farm equipment if a load is non divisible farm equipment exceeding the weight or dimensions established in KRS 189.222 or 189.270(3) and (4). The cabinet shall restrict the movement or deny the overweight or overdimensional permit if the movement may cause damage to property or may be detrimental to public safety or convenience.

(2) The permit fee for the cabinet to issue an overweight or overdimensional single trip permit shall be as established in KRS 189.270(2).

(3)(a) An applicant for an overweight or overdimensional single trip permit shall submit to the Division of Motor Carriers a completed Kentucky Overweight or Overdimensional Permit Worksheet, TC Form 95-10.

(b) An application received after 3 p.m., Eastern standard time, shall not be processed until the following business day.

Section 5. Overweight or Overdimensional Annual Permits. (1) An overweight or overdimensional annual permit shall be issued by the cabinet for the movement of farm equipment or self propelled farm equipment as established in KRS 189.270(3) and (4).

(2) The permit fee for the cabinet to issue an overweight or overdimensional annual permit shall be as established in KRS 189.270(3) and (4).

(3) An applicant for an overweight or overdimensional annual permit shall submit to the Division of Motor Carriers a completed Application for Annual Overweight or Overdimensional Permit, TC Form 95-25.

Section 6. Overweight or Overdimensional Permits for Self-propelled Farm Equipment. (1)

Self-propelled farm equipment shall not operate on a:

- (a) Toll road;
- (b) Parkway; or
- (c) Interstate highway.

(2) Self-propelled farm equipment shall be issued an overweight or overdimensional single trip or annual permit to operate on a fully-controlled access highway if the movement:

- (a) Does not create an unreasonable impedance of the flow of traffic; and
- (b) Is accompanied by the applicable escort vehicle, if required, as established in Section 7 of this administrative regulation.

Section 7. Escort Vehicles for Farm Equipment. (1) General escort vehicle requirements.

(a) A lead escort vehicle operating on a two (2) lane highway may serve as a tow vehicle.

(b) The distance requirement for an escort vehicle to lead or trail an overweight or overdimensional farm equipment shall be 300 feet (91.44 meters), but the distance may vary if necessary due to safety or road conditions.

(c) An escort vehicle shall keep its headlights on during an escort.

(d) A single vehicle and load that do not exceed forty-five (45) miles per hour operating on a four (4) lane highway shall have at least one (1) trail escort.

(2) A single vehicle and load in excess of twelve (12) feet in width:

(a) Operating on a two (2) lane highway, shall have at least one (1) lead escort vehicle; and

(b) Operating on a four (4) lane highway, shall have at least one (1) trail escort vehicle.

(3) A single vehicle and load in excess of eighty-five (85) feet in length operating on a two (2) lane highway, shall have at least one (1) lead vehicle.

(4) A single vehicle and load 120 feet in length or more operating on a four (4) lane highway, shall have at least one (1) trail vehicle.

(5) Convoy. More than one (1) farm equipment vehicle and load, exceeding twelve (12) feet in width or exceeding eighty-five (85) feet in length, being operated as a convoy on a two (2) lane highway, shall have at least one (1) lead vehicle for the total convoy.

Section 8. Sign, Flag, and Lighting Requirements. An overweight or overdimensional vehicle or its escort shall bear a sign declaring that the vehicle is oversized or shall use lights, flashers, or flags.

(1) Signage. A sign shall:

(a) Be at least six (6) to eight (8) feet in width;

(b) State "Oversize Load";

(c) Have black letters on a yellow background. The black letters shall be at least eighteen (18) inches tall (11,612.7 millimeters) with a brushstroke of at least one and four-tenths (1.44) inches (35.56 millimeters) wide; and

(d) Be displayed so that the sign shall be visible to traffic.

(2) Flags. A flag shall be:

(a) Red or fluorescent orange;

(b) At least eighteen (18) inches (11,612.7 millimeters) square;

(c) Displayed at the widest point of the load or on the escort vehicle.

(3) Lights.

(a) Lights shall be:

1.a. Amber oscillating; or

b. Flashing; and

2. Visible from the rear.

Section 9. Travel Restrictions. (1) The movement of farm equipment or self-propelled farm implements in excess of twelve (12) feet in width shall not be made on a highway if adverse weather or road conditions will cause the move to be dangerous.

Section 10. Height and Weight Requirements. (1) A nonexempt farm vehicle and load with a height in excess of thirteen (13) feet, six (6) inches shall obtain a single-trip overweight or overdimensional permit pursuant to KRS 189.270(2) prior to movement.

(2) The maximum height for each single-trip overweight or overdimensional permit shall be determined by the cabinet based on bridge and underpass height along the designated route.

(3) Gross or axle overweight shall not be permitted on a nonexempt farm vehicle with the following configuration:

(a) A combination unit of less than five (5) axles; or

(b) A single unit.

(4) To be issued an overweight or overdimensional permit, a vehicle shall have a declared gross weight of at least 80,000 pounds.

(5) The weight on a single axle in a combination shall not exceed the product of 700 pounds times the aggregate width in inches established by the manufacturer's stamped tire measurement of all the tires on the axle, or the following axle or axle group weights, whichever is less:

(a) Single-wheel axle: 24,000 pounds;

(b) Steering axle: 20,000 pounds;

(c) Tandem dual-wheel axle group if the combination vehicle has only five (5) axles total: 45,000 pounds;

(d) Tandem dual-wheel axle group if the combination vehicle has six (6) or more axles total: 48,000 pounds;

(e) Tridem dual-wheel axle group: 60,000 pounds;

(f) Five (5) axle combination units not exceeding 96,000 pounds gross weight;

(g) Six (6) axle combination units not exceeding 120,000 pounds gross weight;

(h) Seven (7) axle combination units not exceeding 160,000 pounds gross weight; or

(i) Trunnion axle group maximum gross weight as determined by the bridge weight formula established in 603 KAR 5:066, Section 2(7).

(6) The maximum weight shall not be permitted, unless all bridges and roads on the moving route have sufficient capacity to accommodate the load.

Section 11. Responsibility of the Overweight or Overdimensional Permit Holder. (1)(a) Damage to the highway, signs, guardrails, or other public or private property caused by the transportation of the farm equipment shall be the responsibility of the overweight or overdimensional permit holder.

(b) An overweight or overdimensional permit holder shall either repair the damage incurred or pay for the repair.

(c) An overweight or overdimensional permit holder shall not cut, trim, remove, or relocate a tree, shrub, guardrail highway sign, or other object on the highway right-of-way without the written approval of the chief district engineer or designee in the district office where the property is physically located.

(2) An applicant shall be responsible for providing accurate information and reviewing the permit prior to travel on Kentucky highways.

Section 12. Duplicate Overweight or Overdimensional Permits. (1) A duplicate overweight or overdimensional permit that is needed to replace a lost, stolen, or destroyed annual permit or to transfer the permit to another towing vehicle, shall be obtained from the Division of Motor

Carriers by a payment of ten (10) dollars.

(2) One (1) transfer to another towing vehicle shall be allowed for each annual overweight or overdimensional permit during the permit's effective year.

(3) An additional transfer of an annual overweight or overdimensional permit shall be subject to the fees established in KRS 189.270.

(4) An original overweight or overdimensional permit shall be returned to the Division of Motor Carriers prior to the transfer of an annual overweight or overdimensional permit.

Section 13. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Application for Annual Overweight or Overdimensional Permit", TC Form 95-25, December 2011; and

(b) "Kentucky Overweight or Overdimensional Permit Worksheet", TC Form 95-10, December 2011.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Vehicle Regulation, 200 Mero Street, Frankfort, Kentucky 40622. This material may also be obtained by accessing the cabinet's Web site at <http://transportation.ky.gov/>. (38 Ky.R. 1399; 1962; eff. 7-6-2012.)